Vasquez Boulevard and I-70 Superfund Site Frequently Asked Questions

What is the VB/I-70 Superfund Site?

The Vasquez Boulevard & Interstate 70 (VB/I-70) Superfund site is located in north Denver, Colorado. The site includes two commercial/industrial areas as well as residential properties in all or part of the following neighborhoods: Cole, Clayton, Swansea, Elyria, southwest Globeville and northern Curtis Park. Historically, the area was a major smelting center for the Rocky Mountain West. Two smelters –Omaha & Grant and Argo– operated within the site boundaries for varying lengths of time, beginning as early as the 1870s, refining gold, silver, copper, lead and zinc. As a result, heavy metals were deposited in area soils at levels that, in some cases, potentially posed a health risk to people living there. Groundwater was also impacted at the former smelter locations.

In January 1999, EPA listed the VB/I-70 site on the EPA National Priorities List. Sites on the National Priorities List are commonly referred to as Superfund sites because they are eligible for Superfund resources, environmental investigation and cleanup processes, and public participation opportunities. EPA is the lead agency for Superfund activities at the VB/I-70 Superfund site, working cooperatively with the support agency, the Colorado Department of Public Health and Environment. EPA divided the VB/I-70 Superfund Site into three operable units to better manage the project:

- Operable Unit 1 (OU1) includes residential soils in more than 4,500 yards in all or part of six neighborhoods: Cole, Clayton, Swansea, Elyria, southwest Globeville and a small section of northern Curtis Park. The 2003 VB/I-70 Record of Decision defines OU1 as residential yards within the study area with levels of lead or arsenic in soil that present an unacceptable risk to human health. EPA's highest priority at the VB/I-70 Site was OU1 because there was the highest potential for people to be exposed to metals.
- Operable Unit 2 (OU2) includes the location of the former Omaha & Grant Smelter, which is today the location of the Denver Coliseum and surrounding businesses. The majority of the OU2 area is paved and has been extensively redeveloped since the smelter stopped operating. Contamination is likely limited to subsurface and groundwater impacts. The City and County of Denver is a landowner and the responsible party cleaning up this operable unit.
- Operable Unit 3 (OU3) includes the location of the former Argo Smelter, which is today the commercial area adjacent to and northwest of the Interstate 70 and Interstate 25 interchange.

Is the VB/I-70 Superfund Site cleaned up?

The residential property cleanups (OU1) are complete. EPA is still in the remedial investigation phase at the former smelter sites (OU2 and OU3) where final cleanup plans have yet to be developed.

What are the roles and responsibilities of EPA, the State, and the City for VB/I-70?

At OU1, since the remedy is complete, the Colorado Department of Public Health and Environment is the lead agency and is responsible for long-term operations and maintenance of the remedy, including annual mailings to those properties where EPA could not gain access. At OU2, EPA has entered into an agreement with the City and County of Denver as a responsible party and landowner to conduct the Superfund remedial investigation, with EPA and state oversight. In addition, the city is conducting the Globeville Landing Outfall project on their property, and because it is occurring on OU2, EPA and the state are overseeing the work. At OU3, EPA is the lead agency conducting the investigations and the state is the support agency.

What is the remaining risk from the VB/I-70 Superfund Site to people who live and work there?

At OU1, soils no longer pose an unacceptable risk because 99 percent of the yards have been addressed, and residents at the final one percent are receiving information about potential risk and how to avoid it. Contaminated soils were largely found in the top two inches of soil; EPA removed and replaced soils up to 12 inches deep. Groundwater was not evaluated at OU1 because it is unlikely to be contaminated due to historic smelter activity and would not pose a risk in any case because all residences and businesses are connected to municipal water.

At OU2, risks will be fully evaluated when all environmental data are compiled and analyzed as part of ongoing remedial investigations. A 2009 risk assessment conducted for OU2 concluded that there were no unacceptable risks to most commercial or construction workers, or recreational visitors. The report did indicate potential risk to pregnant commercial or construction workers and possibly future residents.

Risks at OU3 will be fully evaluated when all environmental data are compiled and evaluated as part of ongoing remedial investigations. In the meantime, risks from soils and groundwater are unlikely at OU3 as most surface soil is paved and businesses there are connected to municipal water.

What community outreach was conducted during the OU1 investigation and cleanup?

Due to the high degree of public interest, the large number of residential properties, and the cultural differences among the communities, EPA and the State of Colorado provided for extensive public input throughout the remedial process. EPA conducted more than 40

interviews for the first Community Involvement Plan in 2001, and more than 30 interviews for the update to that plan in 2005.

EPA established three local information repositories at the site, and hosted monthly meetings of a Community Advisory Group from 1998-2008. EPA awarded a Technical Assistance Grant to a community group throughout the process, issued more than 30 fact sheets, flyers, and mailings, and hosted and attended numerous workshops and meetings. EPA provided a grant to the City and County of Denver to implement a unique Community Health Program which trained and employed local residents as door-to-door educators about lead and arsenic exposure.

Why didn't EPA include streets or alleys in OU1?

EPA conducted a broad initial investigation and sampling effort at OU1. EPA found that the streets and alleys were largely paved over, blocking exposure to soils beneath and therefore presented minimal risk.

Why didn't EPA include commercial/industrial properties in OU1?

There was no basis to sample commercial/industrial properties. The soil sampling results from commercial/industrial properties conducted as a part of the nearby Asarco Globe site investigation did not pose significant risk, and were assumed to be representative of what would be obtained at commercial properties within OU1. More recent additional data sources such as the National Western Center investigation, Voluntary Cleanup Program sampling results, and 39th Avenue due diligence work support this determination.

Further, an EPA risk assessment showed that the risk at OU1 would be to people, particularly children, living at residential properties with elevated lead and arsenic levels. There was not the same risk to workers who would have less exposure to potentially contaminated soils as they are not likely to play in the soils every day over the course of years. Also, soils at commercial properties tend to be paved over.

Yet another reason had to do with the source or the lead and arsenic. The 2003 VB/I-70 Record of Decision notes that the source of lead and arsenic is probably a combination of smelter emissions, other urban sources, and lawn care products, which would have been used on residential lawns.

Will EPA consider expanding the scope of OU1 to include commercial properties?

Currently, there is no basis to expand the scope of OU1 to include commercial/industrial properties. The soil sampling results from commercial/industrial properties conducted as a part of the nearby Asarco Globe site investigation did not indicate significant risk, and were assumed to be representative of what would be obtained at commercial properties within OU1. More recent additional data sources such as the National Western Center investigation, Voluntary Cleanup Program sampling results, and 39th Avenue due diligence work support this determination. EPA could re-evaluate if contamination is discovered that can't be addressed by other means and warrants Superfund involvement.

What environmental protections are in place if commercial/industrial properties in VB/I-70 are redeveloped into residential uses?

Any commercial/industrial property undergoing a major redevelopment to residential use would need to obtain appropriate zoning and development permits to allow residential use and likely get a bank loan. All development applications for commercial/industrial properties seeking residential use are flagged by the permit reviewer for additional review by the City and County of Denver. The city reviews the application to determine appropriate requirements, such as soil sampling and management.

Commercial/industrial bank loans generally require that environmental due diligence be performed, which includes certain environmental investigations and cleanup where necessary. The developer would have options to accomplish this, including going through the State of Colorado Voluntary Cleanup Program. This process would evaluate whether site characteristics warrant additional sampling and/or cleanup.

What can I do if I have environmental concerns regarding a commercial/industrial property in my neighborhood?

If you have an environmental concern regarding a nearby commercial/industrial property, you can contact the EPA response line at 1-800-424-8802, or the City and County of Denver via 311. These agencies can speak to you to better understand your concerns. You might also want to drive around your neighborhood to identify what businesses and industries are nearby. Your local and state agencies can help you understand what environmental permits these businesses hold, and/or what types of environmental impacts these types of industries might have.

What is the 39th Avenue Greenway and Open Channel?

The 39th Avenue Greenway and Open Channel will be a 12-acre recreational greenway with a multiuse trail, located along 39th Avenue between Franklin and Steele streets. It will reduce flood risk to nearby homes and businesses by conveying floodwater downstream towards the Globeville Landing Outfall Project.

What will be done about environmental risks uncovered during construction of the 39th Avenue Greenway, such as under streets and commercial properties, that weren't sampled as a part of OU1?

Streets and commercial/industrial properties are not in the scope of the Superfund site. Therefore, EPA does not oversee that work. The City and County of Denver's environmental due diligence process is intended to ensure that residents are protected from environmental contaminants encountered. Soil sampling conducted by the city in this area show minimal contamination. Results of sampling already conducted along 39th Avenue as part of this project can be found at:

https://www.denvergov.org/content/denvergov/en/environmental-health/environmental-quality/landuse-and-planning.html.

Based on these data, it is unlikely there will be any impacts to neighbors from lead and arsenic in soils during construction of this project. For information on environmental safeguards for 39th Avenue Greenway construction, see this website or contact the city via 311.

Why is EPA allowing the City and County of Denver to construct their 39th Avenue Greenway?

The 39th Avenue Greenway will be constructed along a street and adjacent commercial properties. These are not part of the VB/I-70 Superfund Site, which is only residential properties in this area, and therefore are not under EPA's authority.

What outreach is being conducted for the 39th Avenue Greenway and Open Channel project?

Outreach is being conducted by the City and County of Denver via the Platte to Park Hill Storm Water Drainage outreach activities. The city can provide brief updates about the project at monthly VB/I-70 Community Advisory Group (CAG) meetings if requested.

Why is OU2 a Superfund Site?

VB/I-70 OU2 is a Superfund site because EPA investigations found elevated levels of heavy metals, particularly lead and arsenic, in soils and groundwater. The metals are largely due to past smelter activities in the area. The areas of contamination at the site are largely paved over or covered with clean soils.

What's buried in the parking lot?

1940s-era municipal waste is buried beneath the Denver Coliseum parking lot, though the area is not a Superfund site because of the waste. The main health concern from the waste is methane gas, which if present in confined areas could cause asphyxiation or explosion hazards to workers working within these areas.

Why aren't visitors to the Denver Coliseum notified that they are on a Superfund site?

This is not necessary. The 2009 risk assessment conducted for OU2 found there is no unacceptable risk to visitors from metals in soils at the site. The areas of contamination at the site are largely paved over or covered with clean soils.

Why are people allowed to use the Globeville Landing Park if it is on a Superfund site?

Previous environmental investigations showed that arsenic and lead in the Globeville Landing Park surface soils are not elevated. Exposure to these soils does not pose a health risk to recreational users there.

Is the city cleaning up the entire coliseum area, as part of the Superfund site cleanup?

EPA has not yet issued a final cleanup plan for OU2, which includes the Coliseum. We can't yet say what cleanup will be required in the future. The City and County of Denver's Globeville Landing Outfall Project is being conducted consistent with any cleanup plan that may be developed in the future.

Why doesn't the City and County of Denver just clean up the whole OU2 site now instead of just the area where the Globeville Landing Outfall is being constructed?

EPA has not yet issued a final cleanup plan for OU2, so we can't say what cleanup will be required in the future.

What is the GLO project?

The City and County of Denver is constructing a storm water drainage feature on their property through OU2 which includes a stormwater channel across the Denver Coliseum parking lot and an outfall structure through which the stormwater will flow into the South Platte River. The project is called the Globeville Landing Outfall Project. For more information about the project, visit the city's website at:

- https://www.denvergov.org/content/denvergov/en/platte-to-park-hill.html
- http://www.denvergov.org/content/denvergov/en/environmental-health/environmental-quality/land-useand-planning.html

What are EPA, the State, and the City's roles and responsibilities in the Globeville Landing Outfall Project?

EPA is the lead agency, the Colorado Department of Public Health and Environment is the support agency, and the City and County of Denver is a responsible party and a landowner at OU2. The city is conducting the Globeville Landing Outfall Project on their property, and EPA and the state are overseeing the work.

What is the difference between the Globeville Landing Outfall Project and the EPA removal action?

Because the City and County of Denver is constructing the Globeville Landing Outfall Project on a Superfund Site, the city approached EPA and the state about entering into an agreement regarding management of the waste materials likely to be encountered at OU2. This resulted in an EPA Time-Critical Removal Action and a Settlement Agreement and

Order on Consent with the city. The removal action addresses environmental components of the Globeville Landing Outfall Project, including developing and implementing a materials management plan for the screening, excavation, handling, and disposal of waste materials encountered during the construction of the project in OU2.

The EPA removal action does not include the design and construction of non-environmental components of the GLO project. For instance, the removal action does not include other environmental reviews that may be required under other statutes or regulations pertinent to the storm water drainage features on OU2.

Why did EPA designate the Globeville Landing Outfall Project as a time-critical removal action?

The City and County of Denver approached EPA with a proposal to construct certain storm water drainage features on portions of OU2. Based on the nature, location and timing of the proposed activities, EPA determined that a time-critical removal action would best address the Superfund requirement for protection of human health and the environment during the proposed work. EPA issued an action memorandum memorializing the decision, and EPA and the city entered into a settlement agreement, whereby the city agreed to implement the removal action with EPA and the State of Colorado oversight.

Why didn't the state sign the settlement agreement for this removal action?

EPA and the State of Colorado are in close coordination regarding this removal action, although the state does not typically sign this sort of settlement agreement.

How can EPA allow the City and County of Denver, who is also the party responsible for the contamination, to dig up the Superfund site?

It is not uncommon, with EPA oversight, for a landowner to use and work on their land while it is also a Superfund site, as is the case here. EPA's role is to ensure that property owners are taking all appropriate measures to protect human health and the environment in whatever use they want to make of their property. EPA does not typically get involved in local land use decisions.

Did EPA delegate all communications and outreach for this action to the City and County of Denver?

EPA did not delegate these activities to the city. EPA requested that the city assist with community relations related to the removal action, as provided for in the settlement agreement between EPA and the city.

Did EPA delegate the lead for the Globeville Landing Outfall Project to the City and County of Denver?

EPA did not delegate any activity to the City and County of Denver. EPA and the city entered into a settlement agreement whereby the city agreed to implement a removal action with EPA and state oversight. The Globeville Landing Outfall is the city's project. The removal action is the development and implement of a materials management plan for the screening, excavation, handling, and disposal of waste materials encountered during the construction of the city's Globeville Landing Outfall Project.

What are the environmental concerns from construction of the GLO project?

The key environmental concerns during this project are combustible gases and odors from digging into the buried wastes, and fugitive dust which might be released during excavation.

- Gases should dissipate to safe levels within a short distance from the source. A gas indicator will be utilized at all times to monitor air quality when crews are working within ten feet of an open excavation or stockpile. If gas is detected above acceptable levels, work in the area will cease until measures can be taken to decrease the level of combustible gas.
- Odor monitoring will be conducted by trained personnel along the OU2 property boundaries, as well as parking and walkways areas of the Denver Coliseum. Odor control measures will be taken if there is a detection of a nuisance odor above allowable limits at the property boundary; or if five or more complaints from neighbors are received within 30 days.
- Fugitive dust will be controlled such that it does not extend beyond site boundaries. A person specially trained as a fugitive dust monitor will be on site to detect visible fugitive dust. Should visible fugitive dust cross a site boundary, contributing operations will be curtailed or halted. The City and County of Denver will conduct air monitoring for dust throughout the construction. Should dust levels be elevated, samples will be analyzed for metals. The city will also conduct air monitoring for asbestos. EPA will conduct episodic air monitoring for PM 10 and PM 2.5.

What is EPA doing to protect residents from contamination when the Superfund site is disturbed during the Globeville Landing Outfall Project?

With EPA and State of Colorado oversight, the city will ensure that environmental protective measures are in place to address any potential releases of, or worker exposure to, hazardous substances. These measures are detailed in the Materials Management Plan and the Methane, Odor, and Dust Control Plan, both approved by the EPA and the state.t. The city will monitor methane and odor levels and will use appropriate mitigation measures if detected (i.e., wetting, ventilation, limiting excavation area, covering, etc.). Fugitive dust will be managed through measures which may include applying water to stockpiles and open excavations, covering stockpiles, revegetating open soil areas, etc. The city and EPA are also conducting air monitoring.

How does the City know what contaminants will be encountered during construction of the Globeville Landing Outfall Project?

EPA and the City and County of Denver have conducted environmental investigations at OU2 since at least 1999. The soil and groundwater are well characterized, with lead and arsenic being the contaminants of concern. Overall, sampling has not shown broad areas of contamination, and areas with elevated lead and arsenic are covered with pavement and/or clean surface soils. Reference to these studies can be found in the 2010 Remedial Investigation Report.

When the Globeville Landing Outfall Project is complete, is there a risk of the storm water becoming contaminated and then contaminating the South Platte River?

No. EPA is ensuring that the City and County of Denver design and construct an impermeable barrier system. This liner will prevent any waste material remaining onsite from coming into contact with storm water flowing through the newly constructed drainage channel.

Will there be environmental impacts from storm water to our neighborhoods via the Globeville Landing Outfall?

EPA concurs with the City and County of Denver's assessment that the Globeville Landing Outfall infrastructure design is sufficient to handle projected storm water volumes such that the system will not cause adverse environmental impacts. Additionally, the city's proposed storm water project at Globeville Landing will incorporate green infrastructure principles. Because of the vegetation in the open channel, the project will benefit from increased evapotranspiration and reduced urban heat island effect. The open channel design will increase the ultraviolet light and oxygen that comes into contact with the storm water which will improve water quality. The open channel design and green space will create a community amenity in an area that is not very green.

Will EPA pay for HVAC systems or insulated windows for nearby neighbors during this removal action?

No. Best management practices are in place and environmental protection measures in the materials management plan are sufficient to protect from construction impacts of the Globeville Landing Outfall Project.

What community outreach was conducted to inform the community about the Globeville Landing Outfall Project?

EPA, with assistance from the City and County of Denver, completed all the community relations activities required by the Superfund regulations. This included publishing a notice in the Denver Post that announced an opportunity for the public to comment on the Administrative Record for the removal action. EPA finalized a Community Involvement Plan Addendum, distributed a fact sheet, and updated its website. The city conducted

additional outreach during many meetings and workshops it hosted over the past year. Additionally, EPA, the State of Colorado and the city are hosting regularly occurring Community Advisory Group meetings to discuss issues regarding VB/I-70.

Were there opportunities for public comment on the Globeville Landing Outfall project?

All requirements for community involvement for the VB I-70 OU2 removal action have been met, and the City and County of Denver has conducted additional outreach at numerous meetings during 2015 through 2017 regarding the removal action, park improvements, and the Globeville Landing Outfall project. EPA published a public notice of this removal action and the opportunity to comment in the Denver Post on September 7, 2015; worked with the city to conduct community interviews; and finalized a community involvement plan addendum. EPA and the city offered opportunities for nearby business owners to take part in community interviews. The city incorporated information about this removal action into their ongoing Platte to Park Hill outreach efforts resulting in at least 15 meetings, workshops, and tours where it was discussed publicly. Additionally, the city arranged for two community availability sessions in the affected neighborhoods on November 3rd and 5th, 2016 where EPA and the state were in attendance. These were advertised via direct flyering to nearby businesses and residences, at Platte to Park Hill Advisory Meetings, in school folders and through neighborhood associations and individual citizens. EPA, the city, and the state are hosting regularly occurring Community Advisory Group meetings to discuss issues regarding VB/I-70.

How are the City and County of Denver and EPA letting nearby residents know what is going on?

EPA, the State of Colorado and the City and County of Denver are hosting monthly Community Advisory Group meetings to discuss VB/I-70 issues.

How can citizens be involved in this removal action in a meaningful way and have our voices heard and our opinions considered?

Citizens can attend Community Advisory Group meetings or discuss concerns or suggestions any time with the neighborhood representatives of the Community Advisory Group.

Will EPA halt this removal action to allow for more time to inform the community of what's happening?

All required community relations activities have been conducted and additional community outreach has been and will be conducted. EPA and the state have approved all the plans the city was required to prepare under the settlement agreement. As long as the city complies with these approved plans in construction of the Globeville Landing Outfall project, EPA has no basis under the removal action settlement agreement for halting or delaying work on the city's Globeville Landing Outfall Project. EPA and the state are

overseeing work on this project and will ensure that this action is conducted with the utmost care for protection of human health and the environment.

How is EPA Superfund involved with CDOT's planned expansion of I-70 through the site?

The EPA Superfund Program is not involved with CDOT's planned expansion of I-70. There is another EPA program, the National Environmental Policy Act (NEPA) program, which was involved in reviewing the Environmental Impact Statement for the Central 70 project.

Why isn't I-70, where it crosses through the VB/I-70 site, considered part of the Superfund site?

The scope of the Superfund site is heavy metal contamination in soils at residential properties and heavy metal contamination in soils and groundwater at two former smelter locations. I-70 is not in that scope. CDOT will be conducting environmental sampling in the area as part of the Central 70 construction. Please contact CDOT for more information.